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| <p style="text-align: center;">KENTUCKY CORRECTIONS Policies and Procedures</p> | <p>Policy Number</p> <p style="text-align: center;">5.1</p> <p>Date Filed</p> <p style="text-align: center;">June 3, 2005</p> | <p>Total Pages</p> <p style="text-align: center;">8</p> <p>Effective Date</p> <p style="text-align: center;">September 20, 2005</p> |
| <p>References</p> <p>ACA 4-4108 through 4-4113 KRS 196.030, 196.035, 197.020, 439.510 and 439.990 45 CFR 46 900 KAR 1:060 P & P ACA 3-3106, 3-3108, 3-3109, 3-3110, 3-3111, 3-3112, 3-3113, 3-3114, 3-3115, and 3-3116</p> | <p>Subject</p> <p style="text-align: center;">RESEARCH AND SURVEY PROJECTS</p> | |

I. AUTHORITY

This policy is issued in accordance with KRS 196.035 and 197.020 that assigns authority to the Department of Corrections (Corrections) to manage adult correctional institutions and to adopt regulations for the administration of Corrections.

II. PURPOSE

This policy shall set forth the procedures governing the support of research and survey activities, the conduct of research and surveys, the security of data collected, the use of offenders for experimental purposes and the use of research findings.

III. APPLICABILITY

To all Corrections employees, especially to those employees whose duties require the evaluation of requests for outside activities, and to any employee, contractor or consultant who is associated in any way with research or surveys of any program, activity or group connected with Corrections.

IV. DEFINITIONS

As used in this document, the following definitions shall apply:

"Agency research" means studies conducted by employees of Corrections usually by, or in conjunction with, the Office of Research and Grants, in central office.

"Cooperative research" means any research which involves the collection of information pertaining to offenders under the jurisdiction of Corrections or to employees of Corrections which is conducted by non-Corrections personnel or by Corrections personnel outside their normal job duties.

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"Medical experimentation" means any medical or dental experiments and pharmaceutical studies using consensual offenders as subjects.

"Offender" means any inmate, probationer or parolee under the jurisdiction of Corrections.

"Research activities" means the application of procedures for solving a problem or testing a hypothesis.

"Recidivism" means reincarceration of an offender in a Kentucky adult correctional facility within twenty-four (24) months of release from a correctional institution.

"Survey" means a written data collection instrument submitted to Corrections by a professional or academic organization.

V. POLICY

Research assists Corrections in establishing goals, objectives and plans for the future and may contribute to more efficient and effective supervision, conservation of resources and increased public safety. This research shall be conducted within the following parameters:

- A. Designated staff from the Office of Research and Grants shall review and recommend to the Commissioner all research projects prior to their implementation. The Administrator of field services for Community Services shall also review and approve all research projects for Probation and Parole prior to their implementation and receive, at a minimum, a quarterly report.
- B. To supplement fiscal resources available, Corrections may seek fiscal support for its research programs from private funding agencies.
- C. Corrections supports and engages in internal research relevant to its programs, as well as research conducted by outside professionals.
- D. Research findings shall be distributed according to the directions of the designated Office of Research and Grants staff.
- E. Appropriate personnel shall assist the Office of Research and Grants staff in determining what questions shall be addressed, what data shall be gathered, and how that data shall be presented.
- F. Corrections measures performance on two (2) levels: overall performance and achievement of immediate program goals.

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G. Corrections ensures that the privacy of offenders and other parties shall be maintained during all research.

H. Offenders shall not be compelled or forced to participate in medical or pharmaceutical experiments.

VI. PROCEDURES

A. Cooperative Research

1. Application to Conduct Cooperative Research

All research requests shall be answered in a timely manner. Applications to conduct cooperative research shall be directed to the Office of Research and Grants.

a. A research proposal shall meet the following criteria:

- (1) The researcher or the sponsoring organization has professional standing in corrections, education or a related field.
- (2) The design of the research proposal shall be of sufficient quality to predict that the results shall be reliable and valid.
- (3) The project has identifiable benefits for Corrections, particularly those projects that are compatible with Correction's efforts or include information that may be used by Corrections.
- (4) The researcher agrees to abide by the conditions of participation specified herein.

b. A research proposal shall contain the following:

- (1) Full name of the researcher, researcher's qualifications, and sponsoring organization, if any.
- (2) Statement of the purpose of the research.
- (3) Detailed description of the methodology.
- (4) Description of anticipated benefits to Corrections, criminal justice profession, or others.

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- (5) Specification of the information to be obtained and sources.
- (6) If information shall be obtained directly from subjects, a copy of any questionnaires, tests or interviews to be used on subjects, as well as a copy of the attached Research Consent Form signed by each participant.
- (7) If identifiable information shall be obtained, the specific procedure to be utilized in order to comply with the conditions stated herein.
- (8) A signed research agreement that stipulates the researchers' responsibilities and conditions of conducting research.

- c. The Office of Research and Grants may also request additional documentation concerning any aspect of the research prior to a decision to recommend a cooperative research project.

2. Conditions of Participation

The researcher shall ensure the protection of the rights and well being of the individuals involved in the study. Prior to receiving Corrections' approval, the researcher shall agree to abide by the following conditions of participation:

- a. Information that identifies an individual may be used only for research or statistical purposes. Therefore, this information shall not be revealed for any purpose other than approved research. It shall not be included in reports or publications and shall be maintained under physically secure conditions. At the termination of the project, identifying information, specifically names and identifying numbers, shall be destroyed or otherwise separated from the data.
- b. Information may be collected directly from the research subject only with the informed and voluntary consent of the subject. The researcher shall be responsible for retaining an approved signed consent form for each participant, which clearly states the purpose of the project and the activities in which the subject will be involved. The consent form shall include an explanation to the inmate of the goals and expectations of the project.
- c. Information designated as privileged in KRS 439.510 shall not be disclosed by the researcher, subject to the penalties specified in KRS 439.990.

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- d. All information or data obtained under the auspices of a cooperative research project shall be made available to the Department of Corrections upon request. This may include all raw data stored on electronic data processing equipment. Full documentation shall be required, including a comprehensive code listing as well as all computer programs, and statistical techniques, which are used to collect, analyze, or store the data. Raw or source data, if requested, shall be made available upon completion of the project. The researcher shall furnish Corrections, through the Office of Research and Grants, with a copy of the completed research, unless prior arrangements have been made to the contrary.
- e. Information collected or obtained through cooperative research shall not be transferred to a third party without the approval of the Commissioner of the Department of Corrections. Recipients of transferred data shall be subject to the same conditions of participation stated herein.
- f. Information obtained through cooperative research may not be used in any proceeding against the Department.
- g. If an inmate or other individual under the custody or supervision of Corrections is involved in a cooperative research project his original signed informed consent form shall be given to Corrections. This signed informed consent form shall be given to Correction's Offender Information prior to or immediately after the start of a direct research involvement with individuals under the custody or supervision of Corrections. These signed informed consent forms shall then be placed into the permanent record file of each person involved, as a subject, in the cooperative research project.

3. Processing of Proposed Cooperative Research

a. Review

Upon receipt of a request for approval of a cooperative research project, the Office of Research and Grants shall review the proposal to determine if it meets the guidelines specified herein. If staff finds the request unacceptable, they shall return it to the researcher with a statement of additional information needed or a statement as to why the proposal was not approved. If the proposal is accepted and involves institutional or community services

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personnel or offenders, the proposal shall be forwarded to the appropriate Deputy Commissioners. The appropriate Deputy Commissioners shall be responsible for discussing the proposal with the warden or supervisor to evaluate the impact on programs or operations and communicating any concerns to the Office of Research and Grants prior to a recommendation of approval.

b. Approval

The Office of Research and Grants shall make any recommendation for approval to the Commissioner who shall recommend the Warden to encourage and use research conducted by outside professionals.

c. Notification

The designated Office of Research and Grants staff shall notify the researcher in writing of approval or disapproval within four (4) weeks of receiving all of the necessary information. The appropriate Warden or District Supervisor shall be notified of approved cooperative research projects in a timely manner by the appropriate Deputy Commissioner.

4. Publication Rights

All publications shall contain a statement that acknowledges Corrections participated in the project, but disclaims approval or endorsement of the findings. In the case of audio visuals, Corrections manuals, books, articles or other copyrightable material, the Department reserves a royalty-free, non-exclusive and irrevocable license to reproduce and use the materials.

5. Medical Experimentation Upon Offenders

Offenders under the jurisdiction of Corrections shall not be required to be the subject of medical, pharmaceutical or experimental behavioral modification research of any type.

6. Non-Compliance

Failure to comply with any of the policies or procedures stated herein shall constitute grounds for termination of the project and may result in denial of future research, proposals by the researcher and the sponsoring agency or institution.

B. Agency Research

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The designated Information and Technology Branch and or Office of Research and Grants staff shall discuss Corrections requirements regarding the use of research data with all employees who are authorized to conduct research projects. This information shall include at least the following:

1. Responsibility

As a general rule, research findings shall be disseminated regardless of the nature of the findings. Their release may avoid duplication of effort elsewhere and provide for the sharing of knowledge and experience throughout the correctional field.

2. Goal Measurement

A distinction shall be made between system review and program review. In a system review, overall performance of the entire field organization in achieving its goals and objectives is the object of measurement. In a program review, effectiveness of a particular program in the achievement of an immediate objective is the object of measurement.

3. Distribution of Findings

The person requesting the research shall be given the research results for review, comment, or changes. Any changes or comments shall be returned to the designated Information and Technology Branch or Office of Research and Grants staff within two (2) weeks of receipt of the results. The report shall then be disseminated to the central office executive staff for review and comment. If after one (1) week no changes are requested, copies of the report shall be made available to interested persons.

- C. Surveys

1. Academic and Professional Organization Surveys

The Office of Research and Grants shall respond to surveys sent to Corrections by an academic or professional organization seeking statistical or other data in a timely manner. Surveys received by other staff members shall be forwarded to Information and Technology for response to insure continuity and comprehensive record keeping.

- a. The Office of Research and Grants shall use appropriate sources to obtain the requested information, including databases, program staff, policies and procedures, and other appropriate sources.

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- b. Publications resulting from, or containing, survey responses shall be maintained by designated Information and Technology Branch staff.

2. Commercial Surveys

Surveys received from private, for-profit businesses for commercial purposes, for example, product development, shall be responded to by Office and Research and Grants staff if time and other duties allow and if there is a clear benefit to Corrections from participation.

D. Review of Policy

This policy shall be reviewed annually to ensure accurate and appropriate procedure for the effective operation of Corrections.

DEPARTMENT OF CORRECTIONS
RESEARCH CONSENT FORM

I freely and voluntarily agree to participate in the research project entitled

_____.

I fully realize that my participation is of my own choosing and I agree not to hold the Department of Corrections responsible for any personal injury to myself and release any claim against the Department of Corrections pertaining to the research project. The project has been satisfactorily explained to me and all my questions have been satisfactorily answered.

Signature of Participant

Date

Signature of Staff Witness

Date

DEPARTMENT OF CORRECTIONS

RESEARCH AGREEMENT

I agree to abide by all Corrections policies that govern the conduct of research.

I fully realize that the use and dissemination of research findings that may identify an offender participant or staff of Corrections shall require a signed statement of consent by each identified offender or staff.

I agree to permit a staff member assigned by the program administrator, for example warden or supervisor, or designated Office of Research and Grants staff to monitor the research project while in progress.

I have attached or previously submitted a proposal including the anticipated use and dissemination of the research findings for approval prior to the start of research, complying with all aspects of CPP 5.1.

I agree to submit all research findings to Correction's designated Office of Research and Grants and Information and Technology Branch staff upon completion of the research.

I agree that no research findings shall be used in any proceeding against the Department of Corrections.

Researcher

Date

Witness

Date